

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
 (Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
 18467

In Re Application Of: Lloyd S. Gray, et al.

JAN 16 2007  
 PRE-STRAPPER

Application No.	Filing Date	Customer No.	Group Art Unit	Confirmation No.
10/589,216	August 11, 2006	Unassigned	23389	Unassigned

Title:

INHIBITING CAV3 ISOFORMS AND THE  $\delta$ 25B SPLICE VARIENTS FOR THE  
 DIAGNOSIS AND TREATMENT OF CANCER

Address to:  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

- The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

- The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

the statement specified in 37 CFR 1.97(e);

**OR**

the fee set forth in 37 CFR 1.17(p).



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Applicant(s):** Lloyd S. Gray, et al.**Examiner:** Unassigned**Serial No:** 10/589,216**Art Unit:** Unassigned**Filed:** August 11, 2006**Docket:** 18467**For:** INHIBITING CAV3 ISOFORMS AND  
THE δ 25B SPLICE VARIENTS FOR THE  
DIAGNOSIS AND TREATMENT OF CANCER**Dated:** January 9, 2007

Mail Stop PCT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 23313-1450

**INFORMATION DISCLOSURE STATEMENT****Sir:**

In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

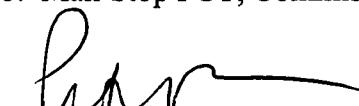
1. United States Patent No. 6,191,156 B1, dated February 20, 2001 to Kifor et al.;
2. United States Patent No. 6,255,457 B1, dated July 3, 2001 to Schnitzer; and
3. Song K.S. et al., "Expression of Caveolin-3 in Skeletal, Cardiac, and Smooth Muscle Cells", *The Journal of Biological Chemistry*, 271(25):15160-15165 (1996).

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner of Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 9, 2007

  
Peter I. Bernstein

The references were cited in an International Search Report dated December 18, 2006. Applicants are submitting a copy of Reference No. 3. In accordance with 37 C.F.R. § 1.98 (a)(2)(i), Applicants are not required to submit a copy of the above-cited U.S. Patent references. The relevance of the above-identified references has been described in the International Search Report.

Inasmuch as this Information Disclosure Statement is also being submitted in accordance with the schedule set out in 37 C.F.R. § 1.704(d), a statement is attached.

Respectfully submitted,



Peter I. Bernstein  
Registration No.: 43,497

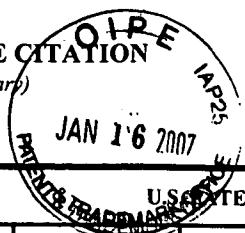
Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
(516) 742-4343

PIB:dg

Receipt date: 01/16/2007

## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)



Docket Number (Optional)

18467

Application Number

10589216

10/589,216

Applicant(s)

Lloyd S. Gray, et al.

Filing Date

August 11, 2006

Group Art Unit

Unassigned

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,191,156 B1	2/20/01	Kifor et al.			
		6,255,457 B1	7/3/01	Schnitzer			

## U.S. PATENT APPLICATION PUBLICATIONS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Song K.S. et al., "Expression of Caveolin-3 in Skeletal, Cardiac, and Smooth Muscle Cells", The Journal of Biological Chemistry, 271(25):15160-15165 (1996)

EXAMINER /Yan Xiao/

DATE CONSIDERED

11/29/2010

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**THE UNITED STATES PATENT AND TRADEMARK OFFICE****Applicant(s):** Lloyd S. Gray, et al.**Examiner:** Unassigned**Serial No:** 10/589,216**Art Unit:** Unassigned**Filed:** August 11, 2006**Docket:** 18467**For:** INHIBITING CAV3 ISOFORMS AND  
THE δ 25B SPLICE VARIENTS FOR THE  
DIAGNOSIS AND TREATMENT OF CANCER  
**Dated:** January 9, 2007

Mail Stop PCT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 23313-1450

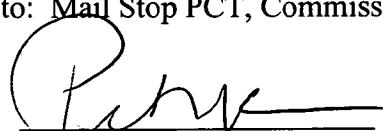
**STATEMENT PURSUANT TO 37 C.F.R. § 1.704(d)**

Sir:

I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner of Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 9, 2007  
Peter I. Bernstein

Therefore, this Information Disclosure Statement cannot be considered a failure to engage in reasonable efforts to conclude prosecution of the application under paragraphs (c)(6), (c)(8), (c)(9), or (c)(10) of 37 C.F.R. § 1.704.

Respectfully submitted,



Peter I. Bernstein  
Registration No.: 43,497

Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
(516) 742-4343

PIB:dg